

Online

# ELECTION COMMISSION OF INDIA

Nirvachan Sadan, Ashok Road, New Delhi-110 001

No.4/RTI/390/SDR/2019

Dated: 8<sup>th</sup> November, 2019

To,

Shri Venkatesh<sup>H</sup>Nayak-

Email: [venkateshnayak.ss@gmail.com](mailto:venkateshnayak.ss@gmail.com)

Sub: - Right to Information Act, 2005 - regarding

Kindly refer to your online RTI application Registration No. 10934 dated 27-09-2019, received by the undersigned on 07.10.2019. The information is given as under: -

**Item no. 1** – The Conduct of Elections Rules, 1961 is available on <https://indiacode.nic.in>. Amendment made in the Conduct of Elections Rules, 1961 are circular<sup>al</sup> to all CEOs and can be seen at the Commission's website <https://eci.gov.in> under the path Menu > Important Instructions.

**Item no. 2,-** Information under this item cannot be provide as per section 8(1)(a) & 8(1)(d) of RTI Act.

**Item No:-3&4:-**For the purpose of counting of VVPAT slip letter dated 15<sup>th</sup> April, 2019 has been issued. A copy of the letter is enclosed.

**Item No. 5,5a,5b:-**The relevant file is<sup>g</sup> under process.

If you are not satisfied with the aforesaid reply, you may file First Appeal against the same, before the First Appellate Authority within 30 days of receipt of this letter.

**Details of the First Appellate Authority are given below:**

Shri K.F.Wilfred, Sr. Principal Secretary, First Appellate Authority, Election Commission of India, Nirvachan Sadan, New Delhi- 110 001

  
(Binod Kumar)  
Under Secretary & CPIO  
Tel: 011-23052151

# ELECTION COMMISSION OF INDIA

NIRVACHAN SADAN, ASHOKA ROAD, NEW DELHI-110001

No. 51/8/VVPAT-INST/2019-EMPS

Dated: 15<sup>th</sup> April, 2019

To

The Chief Electoral Officers of  
All States and Union Territories.

**Reference:** ECI's letter No. 51/8/VVPAT-INST/2018-EMS, dated 13<sup>th</sup> February, 2018

**Subject:** Mandatory verification of VVPAT paper slips- regarding.

Sir,

In supersession of the Commission's letter No. 51/8/VVPAT-INST/2018-EMS, dated 13<sup>th</sup> February, 2018, I am directed to state that in pursuance to Hon'ble Supreme Court's order dated 8th April, 2019, the Commission has directed that henceforth, **mandatory** verification of VVPAT paper slips of randomly selected 05 (five) polling stations shall be conducted in all future General and Bye Elections to the House of the People and State Legislative Assemblies, **in addition** to the provisions of Rule 56D of the Conduct of Elections Rules, 1961, after the completion of the last round of counting of votes recorded in the EVMs, as under:

- (a) In case of General and Bye elections to State Legislative Assemblies, verification of VVPAT paper slips of randomly selected **05 (five) polling stations per Assembly Constituency**.
- (b) In case of General and Bye elections to the House of the People, verification of VVPAT paper slips of randomly selected **05 (polling) polling stations of each Assembly Segment of the Parliamentary Constituency concerned**.

For this mandatory verification of VVPAT paper slips, the following procedure shall be followed:

1. The verification of VVPAT paper slips of randomly selected 05 (five) polling stations for each Assembly Constituency/Segment shall be taken up after the completion of the last round of counting of votes recorded in the EVMs and VVPAT paper slips count due to non-display of result from the Control Unit(s) or under Rule 56(D) of the Conduct of Elections Rules 1961 or whatsoever the reason.
2. The random selection of 05 (five) polling stations per Assembly Constituency/Segment shall be done by Draw of lots, by the Returning Officer concerned, in the presence of candidates/their agents and the General Observer appointed by the Commission for that Constituency.

3. The draw of lots must be conducted immediately, after the completion of the last round of counting of votes mentioned at Para 1 above, in the designated Counting Hall for the particular Assembly Constituency/Assembly Segment.
4. A written intimation regarding the conduct of draw of lots for the random selection of 05 (five) polling stations for verification of VVPAT Slips shall be given by the Returning Officer to the Candidates/their election agents well in advance.
5. The following procedure shall be followed for the conduct of draw of lots:
  - a. White colour paper cards of postcard size shall be used for conducting the draw of lots.
  - b. Total number of such paper cards should be equal to total number of polling stations in the Assembly Constituency. The polling station(s) whose VVPAT paper slips have been counted due to non-display of result from Control Unit(s) or under Rule 56(D) of the Conduct of Elections Rules, 1961 or whatsoever the reason, shall **not** be included in the draw of lots for mandatory verification of VVPAT slips count.
  - c. The paper cards shall have pre-printed Assembly Constituency/Assembly Segment number, AC/AS name and date of polling on the top, and the polling station number in the centre. Each digit of the polling station number shall be atleast 1" x 1"(1 inch by 1 inch) size and printed in black ink.
  - d. The paper cards to be used for draw of lots should be four-folded in such a way that polling station number is not visible.
  - e. Each paper card shall be shown to the candidates/their agents before folding and dropping in the container.
  - f. The paper cards shall be kept in the big container and must be shaken before picking up 05 (five) slips by the Returning Officer.
6. The verification of VVPAT paper slips shall be done in a 'VVPAT Counting Booth'(VCB), specially prepared for this purpose inside the Counting Hall. The booth shall be enclosed in a wire mesh just like a bank cashier's cabin so that no VVPAT paper slip can be accessed by any unauthorized person. One of the Counting tables in the Counting Hall can be converted into the VCB and can be used for normal counting of round-wise EVM votes before the count of VVPAT slips as per random selection after the completion of round-wise EVM counting.

7. The Verification count of the VVPAT paper slips of the randomly selected 05 (five) polling station shall be conducted sequentially i.e. **one after another**.
8. The Verification count of the VVPAT paper slips of the randomly selected 05 (five) polling station shall be conducted strictly in accordance with the instructions of the Commission on counting of printed paper slips.
9. The Returning Officer and Assistant Returning Officer, as the case may be, shall personally supervise the counting of VVPAT paper slips at the VCB. The Observer concerned shall maintain close and direct oversight on the entire exercise and ensure strict compliance of the Commission's instructions.
10. In case there is any mismatch between electronic count of the Control Units and VVPAT slips manual count, recounting of the VVPAT slips of that particular EVM shall be conducted till the recount is tallied either with the EVM count or one of the previous VVPAT slips count.
11. After completing the process as specified in para 10 above, if there is any discrepancy between EVM count and VVPAT paper slips count, as per Rule 56D(4)(b) of the Conduct of Elections Rules 1961, the VVPAT paper slips count shall prevail. Hence, if there is discrepancy between the count of votes displayed on the Control Unit and the count of printed paper slips in respect of that Polling Station, the result sheet will be amended as per the printed paper slips count.
12. The above process shall be fully videographed.
13. After completion of the above process, the Returning Officer shall give a certificate in the annexed format (**Annexure-A**) separately for each polling station to the Chief Electoral Officer concerned. The CEO shall compile the reports for the entire State/UT and submit a consolidated summarized report to the Commission within 7 days from the end of counting process.
14. The Observers appointed by the Commission shall also submit their report to the Commission through the Zonal Secretary concerned in the annexed format (**Annexure-B**).

The above direction of the Commission shall be brought to the notice of all concerned.

Yours faithfully,

(Nikhil Kumar)  
Director

**Annexure-A****Mandatory verification of paper slips of VVPAT of 05 (five) randomly selected  
Polling Stations****(Separate for each polling station- To be sent only to the CEO concerned)**

Name of State:.....

No. and Name of Assembly/Parliamentary Constituency:.....

No. and Name of Assembly Segment (in case of PC):.....

Sl.No. and name of Polling Station:.....

Unique ID of Control Unit:.....

Unique ID of VVPAT:.....

It is certify that mandatory verification of paper slips of VVPAT of randomly selected polling station mentioned above has been conducted as per the instructions of the Commission.

Name of Candidate	No. of Votes Cast		Discrepancy if any
	As per EVM	As per Paper Slips	
1.			
2.			
3.			
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NOTA			
TOTAL VOTES			

(Present during the mandatory verification of VVPAT slips count)

S.No.	Name of Candidate/ Counting Agent	Mention Candidate/ Counting Agent	Name of Party	Signature

Signature of Assistant Returning Officer

Signature of Returning Officer

Signature of ECI Observer



**Annexure-B**

**Report on Mandatory verification of paper slips of VVPAT of 05 (five) randomly  
selected Polling Stations**

**(To be sent to the Commission through the Zonal Secretary concerned)**

Name of State:.....

No. and Name of Assembly/Parliamentary Constituency:.....

No. and Name of Assembly Segment (in case of PC):.....

Sl. No. and name of Polling Station:

1. ....
2. ....
3. ....
4. ....
5. ....

It is certify that the entire process of mandatory verification of counting of paper slips  
of VVPAT of randomly selected 05 polling stations has been conducted under my close and  
direct oversight with strict compliance of the Commission's instructions.

-- Signature --

(Name of ECI Observer)

Observer Code:.....

